

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NIC INSURANCE COMPANY

v.

PJP CONSULTING, LLC and  
DZARNYI PUKUMA

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CIVIL ACTION NO. 09-0877

**ORDER**

AND NOW, this 22nd day of October, 2010, upon consideration of the Motion of Defendant, Dzarnyi Pukuma, to Dismiss Plaintiff's Complaint Pursuant to Rule 12(b)(1) of the Federal Rule of Civil Procedure and the Declaratory Judgment Act, 28 U.S.C. § 2201 (ECF No. 14), and Plaintiff NIC Insurance Company's Cross-Motion for Summary Judgment Pursuant to Fed. R. Civ. P. 56 (ECF No. 20), it is ORDERED as follows:

- i. The Motion of Defendant, Dzarnyi Pukuma, to Dismiss Plaintiff's Complaint Pursuant to Rule 12(b)(1) of the Federal Rule of Civil Procedure and the Declaratory Judgment Act, 28 U.S.C. § 2201 (ECF No. 14) is GRANTED.
- ii. Plaintiff NIC Insurance Company's Complaint is DISMISSED without prejudice.

iii. Plaintiff NIC Insurance Company's Cross-Motion for Summary Judgment

Pursuant to Fed. R. Civ. P. 56 (ECF No. 20) is DISMISSED as moot.

IT IS SO ORDERED.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. Surrick', is written over a horizontal line.

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R. Barclay Surrick, Judge